

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :  
JOHN R. WAZNAK : CHAPTER 13  
Debtor. :  
\*\*\*\*\*  
EARNEST, INC :  
Movant, :  
:  
vs. :  
JOHN R. WAZNAK : CASE NO. 5-22-01258  
Respondents. :  
\*\*\*\*\*

**OBJECTION TO CERTIFICATION OF DEFAULT**

NOW COMES, John R. Waznak, the above Debtor, by and through his counsel, Tullio DeLuca, Esq., and files this Objection to Certification of Default and states the following:

1. On November 17, 2022, Movant filed a Motion for Relief from the Automatic Stay due to a default in monthly payments.
2. On October 6, 2023, Movant filed a Certificate of Default stating that the Debtor has failed to cure the arrears.
3. Debtor Counsel in attempting to contact the Debtor to ascertain if payments were made and/or if Debtor is in possession of payments to cure the alleged default.
4. The Debtor requests that a hearing be scheduled on the Objection to the Certificate of Default.

WHEREFORE, the Debtor respectfully requests that this Honorable Court sustain the Objection to the Certification of Default and deny the granting of relief from the automatic stay.

Respectfully submitted,

Date: October 9, 2023

/s/Tullio DeLuca  
Tullio DeLuca, Esquire

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that on October 9, 2023 he caused a true and correct copy of Debtor's Objection to Certification of Default to be served Via electronic filing on the following CM/ECF participants:

Jack N. Zaharopoulos, Esq. at info@pamd13trustee.com

Brian Nicholas, Esq. at bnicholas@kmlawgroup.com

Date of Mailing: October 9, 2023 /s/Tullio DeLuca  
Tullio DeLuca, Esquire